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IN THE
UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS
219 SOUTH DEARBORN STREET
CHICAGO, ILLINOIS
60601

05C 0787

GEORGE TOLBERT
PLAINTIFF

RECEIVED

CASE NO.

JUDGE KOCORAS

VS

FEB 04 2005

JUDGE:

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

JURY DEMAND: **MAGISTRATE JUDGE**
GERALDINE SOAT BROWN

CIVIL RIGHT COMPLAINT:

UNDER COLOR OF STATE LAW.

UNIVERSITY OF CHICAGO CAMPUS,
POLICE,

CPD,
COURT COMPLIANT 7205/21-3
IN THEIR INDIVIDUAL AND OFFICIAL CAPACITY,
JOINTLY AND SEVERAL,
DEFENDANT(S).

CIVIL RIGHTS COMPLAINT

This is a civil rights complaint with a jury demand, by Plaintiff, GEORGE TOLBERT, alleging Discrimination, BIAS, Harassment, Plaintiff Tolbert is still under the jurisdiction of the Illinois Department of Corrections as a parolee, and is exercising his pro se litigation rights at all times relevant to this civil complaint.

This court has jurisdiction over this complaint according to 28 USC 1883, Plaintiff invokes other pending jurisdictions relevant to this civil complaint.

COMPLAINT

On Monday January 31, 2005 plaintiff, Tolbert parked his car on 59th street Midway Plaisance, because it was experiencing some mechanical problems. Above named defendants of the University of Chicago Campus Police accosted plaintiff and asked him what he was doing around here. Plaintiff Tolbert stated that his car was experiencing problems and that plaintiff

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parked on the midway to keep it out of traffic Plaintiff was legally parked on a city of Chicago street.

Plaintiff was going to make a phone call for help. Plaintiff has for 20 years had problems with the University of Chicago campus police in some capacity every time defendants see him. The defendants do not be on the trail of plaintiff, they are on the trail of another offender and plaintiff does not meet the description of the offender they have a complaint on. Plaintiff has always been harassed by these defendants of the University of Chicago campus police under the former police to the newly recruited police in some fashion for the last twenty years. Plaintiff Tolbert after all these years of being in contact with these defendant U of C police has never been charged with nothing no serious than misdemeanor charges of trespassing.

Plaintiff has never stolen any property from any student or personnel of the University of Chicago campus or has been identified as a perpetrator of any serious (felony) offense in or around the University of Chicago campus or property. Plaintiff alleged campus rap sheet of twenty years will verify this allegation. On above date plaintiff was wrestled down by the defendants U of C campus police for refusing to give his name because there was no complaint against him while he was on city of Chicago property whereas a student kept blocking plaintiffs path on city of Chicago street holding plaintiff temporarily hostage without touching plaintiff but blocking his path while police proceeded to wrestle plaintiff to the ground put a knee to back of his wind pipe and stopped his breathing cutting his wrist very badly on left arm and very badly skinning his left knee and scraping his right eye at the corner on the city of Chicago street concrete. Plaintiff asked defendants campus police why was they using this unnecessary force against him. Plaintiff never brandished a weapon although, plaintiff tried to run to come from under this unnecessary brutality only to be charged with a misdemeanor trespass (criminal) although plaintiff has not been on or around that university for nearly fifteen years.

This incident with above-named defendants of the U of C campus police happened on or about 3:00pm in the afternoon while defendants humiliated plaintiff in front of crowds only to charge him with a trespassing. Defendants caused plaintiffs car to get towed by staying on the Midway Plaisance over night with a tow bill of as of today \$160.00 when plaintiff finally found what company towed on the Midway early this morning on date of Tuesday, February 01, 2005 upon plaintiffs release from custody. Plaintiff was caused unnecessary pain and suffering by the hands of the defendants because of their unprofessional wanton and reckless conduct with malice. Plaintiff once lived in the neighborhood of that University about twenty years ago and moved out of the

neighborhood because of the constant harassment of the University Of Chicago defendant police acting with malicious aforethought against defendant Tolbert who is black and what plaintiff has seen through the years with other blacks seen in the area. Although plaintiff is not stating other blacks are a part of this complaint or that other blacks are not committing non-serious offense[s] Plaintiff is stating that once again look at his so-called alleged extensive rap sheet by defendants U of C campus police and this Honorable Court decides whether plaintiff are committing any serious offense or is plaintiff just plainly being harassed because he is black. Plaintiff also has notice through the years at that university by the hands of defendant U of C police that white offenders are treated with more respect and professional courtesy than black counterparts, although, white offenders has committed the same caliber of serious and non-serious offenses as the blacks. Plaintiff has never seen white offenders being wrestled down to the ground even after chases by defendant U of C police. Plaintiff suffered cruel and unusual punishment that was not appropriate for his charge, mental anguish, stress, unnecessary embarrassment, unnecessary humiliation over a period of twenty years. Plaintiff in 1991 had a case upgraded from misdemeanor to felony based on the defendant U of C police background then as stated by plaintiff's lawyer that you are always being somewhere you don't belong. Plaintiff case was subsequently upgraded to burglary and sentenced to four years IDOC based on those erroneous facts of defendant U of C police. Plaintiff Tolbert was once arrested at the U of C hospital by the defendant campus police while he was the with a doctor and the Chicago police told defendants U of C police after plaintiff was taken to 29th and Prairie police station to take plaintiff right back where you found him plaintiff was not processed and/or logged by the Chicago police because it was an illegal detention. Plaintiff Tolbert has over the years in the past while living in the Hyde Park area the defendant U of C police had pictures of plaintiff on trees around Hyde Park and in building vestibules stating plaintiff was an office burglar and call police if anyone see plaintiff in area, although plaintiff has never been arrested for burglarizing any offices around the U of C or any offices in the Hyde Park area a very humiliating unnecessary malicious public embarrassment. Plaintiff asked to be taken to the hospital when Chicago police transported him to the Chicago police station because plaintiff was in excruciating pain and the CPD saw the wounds CPD thought I was breaking out from AIDS or something. Plaintiff is very healthy. Plaintiff does not or has never used drugs or drank strong alcohol. That was another public embarrassment to be treated like an outcast. Plaintiff has been laid-off from his employment and cannot afford to retrieve his ford escort from the auto pound on 103rd and doty road Plaintiff Tolbert has now have to tell his parole agent he has been arrested with a

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possible violation back to IDOC unnecessarily plaintiff has been working steadily had his own apartment, car insurance and doing pretty well upon his release from IDOC this past July 28, 2004.

Plaintiff Tolbert cannot afford an attorney for this civil complaint, he is pro se while still being under the IDOC jurisdiction. Plaintiff states to this Honorable Court that if he is looking and/or have found some gainful employment in areas surrounding that Defendant U of C he will be harassed by the defendants by getting arrested.

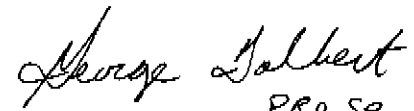
REMEDY

Plaintiff Tolbert is asking this Honorable Court to grant compensatory damages to plaintiff : of One Million Dollars, (\$1000.000) , from each defendant jointly and severally.

Plaintiff is asking this Honorable Court to grant punitive damages to plaintiff for undue stress, mental anguish, undue pain and suffering, undue harassment, undue discrimination based on his race in the amount of: ONE MILLION DOLLARS, (\$1,000,000) jointly and severally, and any other compensation this Honorable Court feels is just and equitable in the interest of fairness if not justice Plus the cost of this civil action

(Exhibits inserted)

DATED: February 1, 2005


SIGNATURE: *George Tolbert*
PRO SE

SELF NOTARY

I, GEORGE TOLBERT, duly swear under the penalty of perjury, pursuant to 28 U. S. C. 1746 and 18 U. S. C. 1621 and as provided by law certifies that the statements set forth herein are true and correct and undersigned by the above-named plaintiff on this 1 day of February, 2005.

(s) *George Tolbert*
pro se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT THREE COPIES OF THE FOREGOING COMPLAINT, CIVIL ACTION WAS MAILED TO CLERK OF THE U.S. DISTRICT COURT, 219 SOUTH DEARBORN STREET, CHICAGO, ILLINOIS, 60601.

THIS DAY OF 2, FEBRUARY, 2005

George Tolbert
SIGNATURE *pro se*

P.S. U. OF C. DEFENDANT POLICE AFTER PLAINTIFF WAS HANDLED OVER TO CHICAGO POLICE BROKE INTO HIS AUTO AND ONLY STOLE HIS WALLET SO PLAINTIFF COULDN'T HAVE IDENTIFICATION TO RETRIEVE HIS CAR FROM AUTO POUND.